



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

March 27, 2008

The Honorable James Phinizy, Chair
House Environment and Agriculture Committee
Legislative Office Building, Room 303
Concord, New Hampshire 03301

Subject: **SB 528-FN relative to a mercury-added thermostat recycling program**

Dear Chairman Phinizy and Members of the Committee:

Thank you for the opportunity to testify in support of SB 528-FN, which would establish a mercury-added thermostat recycling program in New Hampshire.

The Department of Environmental Services assisted the Thermostat Recycling Study Committee in drafting this bill, which creates a manufacturer-funded recycling program, requires mandatory collection of thermostats by wholesalers, requires contractors to recycle thermostats, requires retailers to provide information on thermostat recycling and requires the Department to administer the program and set thermostat collection goals. The bill also allows retailers and municipalities to participate as collection sites but does not mandate such participation.

The passage of HB 907 in the 2007 legislative session prohibits the sale of mercury-added thermostats by July 1, 2008 and other recent legislation banned disposal of these (and other) mercury-added devices in solid waste facilities. Thermostats can contain up to three grams of mercury and therefore are one of the products with the greatest amount of this toxic substance. Because they are also one of the most commonly found mercury-added devices in the home, properly recycling these items can keep a significant amount of mercury out of the waste stream.

The Department believes that this bill is a reasonable approach to addressing the problem of improperly discarded thermostats in the waste stream. It is also consistent with the *NH Mercury Reduction Strategy* and regional, national and international efforts. Although we have exceeded the *Strategy's* initial goal of a 50% reduction in mercury emissions, more remains to be done. Strict emissions limits have reduced mercury emissions from waste combustion sources, but it is imperative that we continue working to address the root cause of those emissions: mercury in solid waste. Many common products, such as thermometers, thermostats, switches and measuring devices, contribute mercury to the waste stream when they are improperly discarded. When these items are burned, broken or improperly disposed of, mercury is released to the environment.

Mercury is a highly persistent and toxic pollutant that accumulates in the food chain. Like 47 other states, New Hampshire has issued a freshwater fish consumption advisory due to elevated levels of mercury in fish and the resulting threat to public health.

We would be pleased to assist the Committee in any way that we can. Please call Stephanie D'Agostino (271-6398) if you have any questions or would like further information.

Sincerely,



Thomas S. Burack
Commissioner

CC: Members of the House Environment and Agriculture Committee
Senator Martha Fuller Clark
Senator Bob O'Dell
Senator Margaret Hassan
Representative Michael Kaelin
Representative Roger Wells